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AGREEMENT

Made this 7th day of January 1993, by and between Carmel Corp. t/a Shanghai Garden (the applicant), and Advisory Neighborhood Commission 3F, North Cleveland Park and Forest Hills (ANC).

WITNESSETH

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control Board (ABC), is the Applicant's application for a renewal of a Class "CR" license for its premises at 4469 Connecticut Avenue, N.W., ABC Application No. 309321.

WHEREAS, both Applicant and ANC desire to enter into an agreement articulating an understanding of specific operating procedures and practices of Applicant.

NOW, THEREFORE, in consideration of the premises recited, and the mutual covenants and promises set forth below, the parties agree as follows:

1. Applicant shall operate a bona fide restaurant on its premises.
2. The restaurant shall have a maximum of 74 seats for the exclusive use of dining patrons. Alcoholic beverages will be served primarily in conjunction with full meal service.
3. The bar/lounge area will have a maximum of 2 seats for the primary use of patrons waiting for dining service, patrons waiting to be joined by other patrons, and patrons waiting for carry out food service.
4. The Applicant's hours of operation shall be 11:30 A.M. to 10:30 P.M., Sunday through Thursday, and 11:30 A.M. to 11:00 P.M., Friday and Saturday.

5. Applicant shall comply with all aspects of the Civil Infractions Act and the Litter Control Administration Act. Applicant shall make every effort to keep the establishment's immediate surroundings litter free.

6. An ABC licensed manager conversant in all aspects of this agreement shall be on site at Applicant's premises during all hours of operation.

7. Any and all contemplated changes to Applicant's operation, as set forth herein, will be brought to the attention of the ANC prior to implementation and will be implemented only after ANC, and where applicable, ABC Board approval.

8. In consideration of, and in reliance upon, the commitments reflected in paragraphs 1-7 preceeding, the ANC will advise the ABC Board that it has no objection to Applicant's pending license renewal.

9. The parties further agree that any failure of Applicant to adhere to the foregoing commitments would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause to gain the Applicant's compliance with the terms of this Agreement.

IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the years and day first above written.

Carmel Corporation t/a Shanghai Garden

BY: Lily G. Pong
Applicant Vice-President

BY: Charles H. Brown
ANC 3E Chairperson

#9321

AGREEMENT

Made this 18th day of March 2002, by and between CARMEL CORPORATION t/a SHANGHAI GARDEN (the "applicant") and ADVISORY NEIGHBORHOOD COMMISSION 3F, North Cleveland Park and Forest Hills (the "ANC" or "ANC 3F").

WITNESSETH:

WHEREAS, pending before the District of Columbia Alcoholic Beverage Regulation Administration ("ABRA") Board is Applicant's renewal application for a Retailer's Class "CR" liquor license for the premises known as 4469 Connecticut Avenue, N.W., Application Number 9321; and

WHEREAS, both Applicant and the ANC (the "parties") desire to enter into an agreement commemorating certain understandings regarding Applicant's operating plans;

NOW, THEREFORE, in consideration of the premises recited, and the mutual covenants and promises set forth below, the parties agree as follows:

1. Applicant shall operate a bona fide restaurant on its premises.
2. The restaurant shall have a maximum of 75 seats inside for the exclusive use of dining patrons. Alcoholic beverages will be served primarily in conjunction with full meal service.
3. The bar/lounge shall have a maximum of 3 seats for the primary use of patrons waiting for dining service, patrons waiting to be joined by other patrons and patrons waiting for carryout food service.
4. Applicant's hours of operation will be 11 a.m. to 10:30 p.m., Monday through Sunday.
5. Applicant shall be permitted to operate a sidewalk cafe April 1 through October 31. The hours of operation shall be the same as for the indoor restaurant. Applicant shall be permitted to serve alcoholic beverages at the outdoor cafe only in conjunction with meal service.
6. Applicant shall offer food service to its patrons at all times it is open. At no time shall a patron be able to purchase an alcoholic beverage from the Applicant and not be able to purchase food from the Applicant.
7. Applicant will not provide take-out alcoholic beverages.
8. Applicant offers take-out food service, but will not offer delivery service and will not have delivery trucks.
9. Applicant shall present no form of live entertainment. Applicant shall be permitted to present recorded music inside the restaurant as soft background music for dining; provided, however, that no doors to the exterior of the restaurant shall be propped open at any time when music is being played in the restaurant. Applicant shall permit no form of dancing.
10. Applicant shall not install or utilize any equipment for the showing of videos or video games or juke boxes.
11. Applicant shall be prohibited from displaying any advertising banners, neon signs, or outside signage other than the sign permitted by zoning above its establishment. Applicant will post no signs advertising liquor sales, happy hours, or the like.
12. Applicant will care for the public spaces that border the restaurant on Connecticut Avenue, including provision of suitable plantings.

SHANGHAI GARDEN

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13. Applicant shall comply with all aspects of the Civil Infractions Act and the Litter Control Administration Act. Applicant shall ensure that its trash is removed in a timely manner. Applicant shall ensure that its trash receptacle remain closed and free of vermin at all times. Applicant will limit noise after closing when disposing of trash and bottles in the receptacles.
14. Applicant shall instruct all of its venders, and shall itself remain vigilant to ensure that delivery and trash trucks shall not block any access to any other loading dock, driveway or entrance, and in deference to the residential community, applicant shall not allow any delivery vehicles to use loud horns.
15. Applicant shall maintain its ventilating system in proper working order at all times and shall immediately address any neighborhood concerns regarding odors.
16. Applicant shall comply with §5(d)(3) of the D.C. Noise Control Act as it applies to businesses next to residential neighborhoods and ensure that noise from all mechanical equipment (air-conditioning, refrigerator, heat pump, fan, or other mechanical equipment regardless of location) shall be prohibited in excess of sixty (60) dB (A) when measured at the property line or as close to the property line as practical if there is an obstruction.
17. An ABRA licensed manager, conversant with all aspects of this agreement, shall be on site at Applicant's premises during all hours of operation.
18. Any and all contemplated changes to Applicant's operation, as set forth herein or otherwise, will be brought to the attention of the ANC prior to implementation, and only after ANC and, when required by rules and regulations, ABRA Board approval.
19. In consideration of, and in reliance upon, the commitments reflected in paragraphs 1 through 16 above, the ANC will advise the ABRA Board that it does not oppose Applicant's pending application for a Retailer's Class "CR" license.
20. The parties further agree that any failure of Applicant to adhere to the foregoing commitments will constitute grounds for the ANC to petition the ABRA Board for issuance of an order to show cause to gain the Applicant's compliance with the terms of this Agreement.

IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the year and day first above written.


APPLICANT, CARMEL CORPORATION
T/A SHANGHAI GARDEN RESTAURANT

By: 
(Signature)

Name: Ray Chau

Title: 

ADVISORY NEIGHBORHOOD
COMMISSION 3F

By: 
(Signature)

Name: Catherine J. Wiss

Title: Chairman

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

<u>In the Matter of:</u>)	
)	
Carmel Corporation)	
t/a Shanghai Garden)	
)	
Application for a Retailer's Class)	Application no. 9321
CR License (renewal))	2002-96
at premises)	
4469 Connecticut Avenue, N.W.)	
Washington, D.C.)	
)	

Ray Shau, on behalf of the Carmel Corporation, and Catherine J. Wiss, Chairperson, on behalf of the Advisory Neighborhood Commission 2F, Signatories

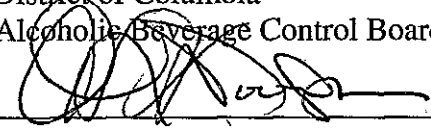
BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Charles Burger, Member
Laurie Collins, Member
Judy Moy, Member
Ellen Oppen-Weiner, Esquire, Member
Audrey Thompson, Member

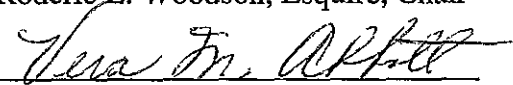
ORDER ON VOLUNTARY AGREEMENT

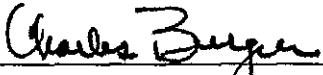
This matter came before the Board for approval on April 17, 2002. The signatories to the attached voluntary agreement dated March 18, 2002, submitted the agreement to the Board in accordance with 23 DCMR Section 1513 (June 1997).

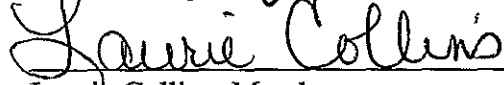
Having determined that the agreement complies with all applicable laws and regulations and the applicant qualifies for licensure, the Board does hereby this May day of 2nd 2002, **APPROVE** the license application conditioned on the applicant's compliance with the terms of the voluntary agreement and **INCORPORATE** the text of the same into the Order.

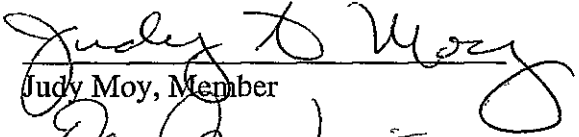
District of Columbia
Alcoholic Beverage Control Board


Roderic L. Woodson, Esquire, Chair

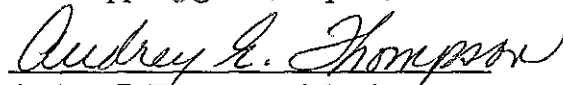

Vera Abbott, Member


Charles Burger, Member


Laurie Collins, Member


Judy Moy, Member


Ellen Oppert Weiner, Esquire, Member


Audrey E. Thompson, Member

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of :

Carmel Corporation
t/a Shanghai Garden Restaurant

Application for a Retailer's Class
CR License – renewal

4469 Connecticut Avenue, N.W.
Washington, D.C.

Application no. 9321

David J. Bardin, Chair, on behalf of Advisory Neighborhood Commission 3C, Signatory

Raizhong Shaa, President, on behalf of Applicant

BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Charles Burger, Member
Judy Moy, Member
Ellen Oppen-Weiner, Esquire, Member
Audrey E. Thompson, Member

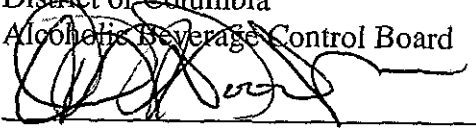
ORDER ON VOLUNTARY AGREEMENT

This matter came before the Board for approval on May 17, 2000. The signatories to the attached voluntary agreement dated May 9, 2000, submitted the agreement to the Board in accordance with 23 DCMR Section 1513 of the ABC Regulations (DCMR Title 23 June 1997).

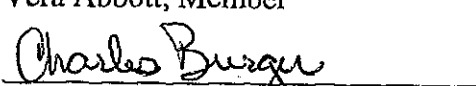
Having determined that the modified agreement complies with all applicable laws and regulations, and that the applicant otherwise qualifies for licensure, the Board hereby does this 26 day of May 2000, **APPROVES** the license application conditioned on the Applicant's compliance with the terms of the voluntary agreement and **INCORPORATES** the text of the same into the Order.

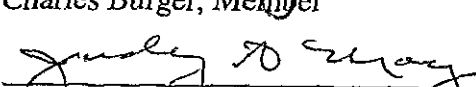
Carmel Corporation
t/a Shanghai Garden Restaurant
Page two

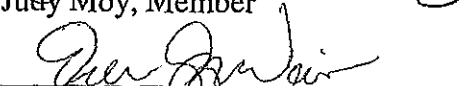
District of Columbia
Alcoholic Beverage Control Board

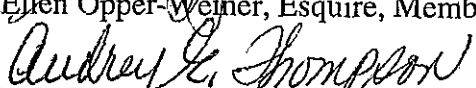

Roderic L. Woodson, Esquire, Chair


Vera Abbott, Member


Charles Burger, Member


Judy Moy, Member


Ellen Oppenheimer, Esquire, Member


Audrey E. Thompson, Member

App'd 5/17/00
~~#32932~~ #9321

ADDENDUM

Made this 9th day of May 2000
to the agreement made January 7, 1993 by and between
Carmel Corp. t/a Shanghai Garden and
Advisory Neighborhood Commission 3F, North Cleveland Park and Forest
Hills.

WITNESSETH

WHEREAS, pending before the District of Columbia Alcoholic Beverage
Control (ABC) Board, the reissuance of a Class CR license for premises
4469 Connecticut Avenue, N.W.; and

WHEREAS, the parties to the above referenced agreement wish to continue
the agreement in full force for the period of the reissuance;

NOW, THEREFORE, the ANC will recommend to the ABC Board non-
objection to the reissuance of the license.

IN WITNESS WHERE OF, the parties have affixed hereunto their hands and
seals in the years and day first above written.

BY: [Signature]

for Shanghai Garden

BY: [Signature]

for ANC 3F

(Chair)

ADDENDUM

Made this 17th day of March, 1994
to the agreement made January 7, 1993 by and between
Carmel Corp. t/a Shanghai Garden and
Advisory Neighborhood Commission 3F, North Cleveland Park and Forest
Hills.

WITNESSETH

WHEREAS, pending before the District of Columbia Alcoholic Beverage
Control (ABC) Board, the reissuance of a Class CR license for premises
4469 Connecticut Avenue, N.W.; and

WHEREAS, the parties to the above referenced agreement wish to continue
the agreement in full force for the period of the reissuance;

NOW, THEREFORE, the ANC will recommend to the ABC Board non-
objection to the reissuance of the license.

IN WITNESS WHERE OF, the parties have affixed hereunto their hands and
seals in the years and day first above written.

BY: [Signature]
for _____

BY: Douglas Mitchell
for ANC 3F (Chair)